

ENTERED

July 11, 2023

Nathan Ochsner, Clerk

**In the United States Bankruptcy Court
for the Southern District of Texas
Houston Division**

In re § Case No. 22-33581
Joycare Therapy, LLC, §
Debtor § Chapter 11
§

**ORDER CONFIRMING DEBTOR'S FOURTH AMENDED
PLAN OF REORGANIZATION**

(Docket No. 135)

CAME ON FOR CONSIDERATION on July 10, 2023, the Fourth Amended Plan of Reorganization of Joycare Therapy, LLC filed on June 8, 2023 (Docket No. 135) (the "Plan") under 11 U.S.C. §1191. The Court finds that notice of the hearing on confirmation of the Plan and deadlines regarding filing written objections to the Plan has been given in accordance with the Bankruptcy Code, and the Federal and Local Rules of Bankruptcy Procedure.

IT IS ORDERED THAT:

A. No objections were filed to the Fourth Amended Plan filed at docket #135. No votes were filed or submitted to reject the plan. All votes submitted accepted the Plan.

B. The Plan, filed at docket #135 in this case, complies with all applicable provisions of the Bankruptcy Code and applicable Bankruptcy Rules relating to confirmation and is hereby **CONFIRMED** under 11 U.S.C. § 1191(b).

C. In accordance with 11 U.S.C. § 1142, the Debtor is authorized and directed without the need for any further approval to immediately take any action necessary or appropriate to implement, effectuate, and consummate the Plan and any transactions contemplated thereby or by this Order in accordance with their respective terms.

D. Melissa A. Haselden, appointed as the Subchapter V Trustee of this case (the "Trustee"), pursuant to 11 U.S.C. § 1183, may file with the Court an application for professional fees, under 11 U.S.C. § 330, for services performed prior to confirmation of the Plan. Debtor shall pay approved Subchapter V fees and expenses as provided under the Plan and by Order of this Court.

E. No later than 14 days after the Plan is substantially consummated, the Debtor shall file with the Court and serve upon the Trustee, United States Trustee, and all parties in interest, notice of substantial consummation of the Plan as provided under 11 U.S.C. § 1183(c)(2). Substantial Consummation of the Plan shall occur on the date that the distributions are made to the creditors in Class 5.

F. The Debtor is hereby authorized to act as the disbursing agent for all payments remitted under this confirmed Plan on behalf of the Debtor.

G. On the Effective Date of the Plan, property of the bankruptcy estate of the Debtor shall vest in the Debtor under 11 U.S.C. § 1141(b) free and clear from all liens, claims encumbrances, and interests, other than as explicitly set forth in the Plan. The Debtor is hereby authorized to file termination statements with respect to liens that have been released pursuant to the Plan and this Order.

H. As of the Effective Date, all of the Debtor's executory contracts shall be deemed rejected and of no further force and effect, except as expressly set forth in the Plan. The executory contracts explicitly identified in the Plan as assumed are hereby deemed assumed, with a cure amount of \$0.

I. Within 3 days after the Effective Date of the Plan, counsel for the Debtor shall serve notice of (i) entry of this Confirmation Order; (ii) the occurrence of the Effective Date; and (iii) any bar dates and any other deadlines set by the Plan ("Notice"), pursuant to Bankruptcy Rule 3020(c). The Notice shall be sent to all creditors and parties-in-interest by first class mail, postage prepaid. Counsel for the Debtor shall thereafter promptly file a copy of such Notice with proof of mailing with the Court.

J. The Debtor shall be empowered to: (a) effect all actions and execute all agreements, instruments and other documents necessary to perform its duties under the Plan; (b) make all distributions contemplated hereby; (c) exercise such other powers as may be needed or required, pursuant to the Plan or as deemed to be necessary and proper to implement the provisions hereof.

K. The Debtor must timely file the post-confirmation quarterly reports or other reports as required.

L. Upon completion of all payments under the Plan, Debtor shall file a motion for discharge, served on all holders of Allowed Claims, in which it will certify that (i) it meets the standards set forth in 11 U.S.C. § 1192 of the Code; and (ii) it completed all payments under the Plan within five (5) years of the Effective Date. Unless a party objects and the Court sustains the objection to the motion for discharge, Debtor will be discharged. This Court retains jurisdiction to interpret and enforce the Plan and this Order.

M. This Court retains jurisdiction to interpret and enforce the Plan and this Order.

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IT IS FURTHER ORDERED that to the extent there are conflicting provisions in the Plan, this Order shall govern.

Signed: July 11, 2023



Eduardo V. Rodriguez
Chief United States Bankruptcy Judge

Submitted by:

Reese W. Baker
Counsel for Joycare Therapy, LLC